

REMARKS

Claims 1-7, 28-30, 37, 40-43, and 45-67 were pending in the application.

Claims 37, 40-43, and 47-67 were allowed.

Claims 1-7, 28-30, 45, and 46 were rejected.

Claims 68-76 have been added.

A terminal disclaimer is being filed herewith.

Reconsideration and allowance of claims 1-7, 28-30, 37, 40-43, and 45-76 is respectfully requested in view of the following.

The Information Disclosure Statements:

The examiner has not yet considered the Electronic and paper Information Disclosure Statements filed on September 11, 2003 or February 17, 2004. The Applicant respectfully requests that the examiner consider each of the above filed Information Disclosure Statements.

The Provisional Rejection of Claims 1-7, 28, 29, and 30 Under the Judicially Created Doctrine of Double Patenting:

Claims 1-7, 28, 29, and 30 were rejected under the judicially created doctrine of double patenting over claims 1-10 of co-pending application serial no. 10/331,718. Applicants respectfully traverse.

However, in order to expedite the issuance of the present application, the Applicant submits herewith a Terminal Disclaimer. The present application and application serial no. 10/331,718 are commonly owned.

The Rejection of Claims 1, 5, 28-30, 45 and 46 under 35 U.S.C. § 102:

Claims 1, 5, 28-30, 45, and 46 were rejected under 35 U.S.C. § 102(a) as being anticipated by Evans (US 6,409,175). The Applicant respectfully traverses.

Evans states the following in column 1, lines 50-55:

"Threaded connections for oil field use mainly rely on three types of seals: either metal-to-metal shouldering seals or seals formed by engaged threads with high thread interference using thread compound to effect a seal in the void areas, or deformable seal rings entrapped in the thread area. All three types of seals of the se types are disabled by the radial expansion caused by the pig. In each case, following the expansion of the pin and box, the pin and box members radially separate, causing the seal to fail."

Claim 1 recites: "An expandable tubular assembly, comprising:
a pair of radially expanded tubular members having radially expanded threaded portions coupled to one another; and
a quantity of a sealant within the radially expanded threaded portions of the radially expanded tubular members;
wherein the sealant adheres to the radially expanded threaded portions of the radially expanded tubular members."

Evans discloses that "following the expansion of the pin and box, the pin and box members radially separate, causing the seal to fail." By contrast, claim 1 recites exactly the opposite. Thus, Evans does not disclose the invention of claim 1. Furthermore, for at least the same reasons, Evans also does not disclose the invention of claims 5, 28, 29, and 30, which depend from claim 1.

Claim 45 recites: "An expandable tubular assembly, comprising:
a pair of expandable tubular members having threaded portions coupled to one another; and
a quantity of a sealant within the threaded portions of the tubular members;
wherein the coupled threaded portions of the expandable tubular members are located on portions of the expandable tubular members that are deformed following radial expansion of the expandable tubular members;
wherein the sealant adheres to the threaded portions of the radially expanded tubular members before, during, and after the radial expansion."

Evans discloses that "following the expansion of the pin and box, the pin and box members radially separate, causing the seal to fail." By contrast, claim 45 recites exactly the opposite. Thus, Evans does not disclose the invention of claim 45.

Claim 46 recites: "An expandable tubular assembly, comprising:
a pair of expandable tubular members having threaded portions coupled to one another; and
means for providing a fluid tight seal between the coupled threaded portions of the pair of expandable tubular members following the radial expansion of the coupled threaded portions of the expandable tubular members;
wherein the means for providing a fluid tight seal adheres to the threaded portions of the radially expanded tubular members before, during, and after the radial expansion."

Evans discloses that "following the expansion of the pin and box, the pin and box members radially separate, causing the seal to fail." By contrast, claim 46 recites exactly the opposite. Thus, Evans does not disclose the invention of claim 46.

The Rejection of Claims 2, 3, 4, 6 and 7 under 35 U.S.C. § 103:

Claims 2, 3, 4, 6 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Evans (US 6,409,175) in view of Jet-Lok product catalog and the applicant's disclosure of Jet-Lok on page 7 of the original application. Applicants respectfully traverse.

As an initial matter, the content of the applicant's original application cannot be prior art as a matter of law. Thus, for at least this reason, the rejection of claims 2, 3, 4, 6 and 7 should be withdrawn. Thus, to the extent that the examiner maintains the present rejection, the applicant respectfully requests that the examiner either: (1) demonstrate that, at the time of the invention, the disclosure of the present application relied upon by the examiner in the present rejection is capable of instant and unquestionable demonstration; or (2) provide a declaration pursuant to 37 C.F.R. § 1.104(d)(2) that details the personal knowledge of the Examiner as to the disclosure of the present application relied upon by the examiner in the present rejection.

Furthermore, Evans does not include any disclosure or suggestion of the use of Jet-Lok sealant within the threads of coupled tubulars that are then radially expanded and plastically deformed. In fact, Evans explicitly **teaches against the use of a sealant on expandable threads**, "Threaded connections for oil field use mainly rely on

three types of seals: either metal-to-metal shouldering seals or seals formed by engaged threads with high thread interference using thread compound to effect a seal in the void areas, or deformable seal rings entrapped in the thread area. All three seals of these types are disabled by the radial expansion caused by the pig. In each case, following the expansion of the pin and box, the pin and box members radially separate, causing the seals to fail." (Evans, column 1, lines 50-58).

The Jet-Lok product catalog likewise does not include any disclosure or suggestion of the use of Jet-Lok sealant within the threads of coupled tubulars that are then radially expanded and plastically deformed.

Thus, the combination of Evans and the Jet-Lok product catalog does not disclose or suggest the invention of any of claims 2, 3, 4, 6 and 7. Therefore, claims 2, 3, 4, 6 and 7 are in condition for allowance.

Furthermore, there is no motivation to combine Evans with the Jet-Lok product catalog. In particular, as discussed above, Evans explicitly **teaches against the use of a sealant on the threads**, "Threaded connections for oil field use mainly rely on three types of seals: either metal-to-metal shouldering seals or seals formed by engaged threads with high thread interference using thread compound to effect a seal in the void areas, or deformable seal rings entrapped in the thread area. All three seals of these types are disabled by the radial expansion caused by the pig. In each case, following the expansion of the pin and box, the pin and box members radially separate, causing the seals to fail." (Evans, column 1, lines 50-58). Thus, there is no motivation to combine Evans with the Jet-Lok product catalog.

The only motivation to combine Evans with the Jet-Lok product catalog comes from the disclosure of the present application – which is not prior art.

Applicants respectfully request that the Examiner withdraw the rejection of Claims 2, 3, 4, 6 and 7.

Unless stated otherwise, none of the amendments to the claims were made for reasons substantially related to the statutory requirements for patentability.

Furthermore, unless stated otherwise, the amendment to the claims were made to simply make express what had been implicit in the claims as originally worded and therefore is not a narrowing amendment that would create any type of prosecution history estoppel.

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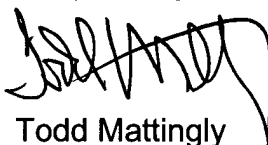
Furthermore, to the extent that the present or any prior amendment, present formerly dependent claims in independent form, such amendments do not in any manner change the scope of the amended claim or the scope of equivalents thereof.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are drawn to novel subject matter, patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and allow claims presented for reconsideration herein. To the extent that the present amendment results in additional fees, the Applicant authorizes the Commissioner to charge deposit account no. 08-1394.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,



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This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.	
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